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New York

President:	Mr. Danforth	(United States of America)
Members:	Algiera	Mr. Baali
	Angola	Mr. Lucas
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. Poirier
	Germany	Mr. Trautwein
	Pakistan	Mr. Khalid
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Dolgov
	Spain	Mr. Yáñez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson

Agenda

The situation in Timor-Leste

Progress report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/888)

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04-60493 (E)

The meeting was called to order at 10.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Timor-Leste

Progress report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/888)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Indonesia, Japan, Malaysia, the Netherlands, New Zealand, Portugal, Singapore, Thailand and Timor-Leste, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Guterres (Timor-Leste) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Mission of Support in East Timor.

There being no objection, it is so decided.

I invite Mr. Hasegawa to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/888, which contains the progress report of the Secretary-General on the United Nations Mission of Support in East Timor.

At this meeting, the Security Council will hear a briefing by Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Mission of Support in East Timor.

I now give the floor to Mr. Hasegawa.

Mr. Hasegawa: It is indeed a great honour to address the Council for the first time in my capacity as Special Representative of the Secretary-General on the situation in Timor-Leste.

The successive United Nations peacekeeping operations in Timor-Leste are now widely recognized to be a major success story of the international community. In my view, it is largely due to the determination of the people and leaders of Timor-Leste to build peace and stability anchored in the principles of democratic governance.

In introducing the report of the Secretary-General today, I would highlight, first, recent political and security developments and, secondly, the status of the programme implementation of the mandate of the United Nations Mission of Support in East Timor (UNMISET). Lastly, I would outline specific preparations we are making to achieve an orderly completion of UNMISET in six months and a smooth transition to a sustainable arrangement.

Since the beginning of the consolidation period, Timor-Leste has remained peaceful and stable, except when officers of the national police (PNTL) made use of excessive force in arresting peaceful demonstrators, mostly consisting of former independent fighters, on 20 July and raised widespread concern in the public. It is significant to note at the same time that, realizing the urgency and seriousness of the veterans issue, the Timorese leadership immediately took initiatives to address the grievances of former resistance members. President Gusmão organized on 21 August a national dialogue to bring together veterans and Government leaders. As I attended the national dialogue, both the Timorese leaders and ex-combatants asked me at the end to convey to the members of the Security Council that they were indeed trying to resolve their differences of views and expectations in a peaceful manner. It is encouraging that Prime Minister Alkatiri subsequently appealed to the diplomatic corps in Dili on 26 October

for its support for a programme that would recognize and honour the contributions made by the veterans and ex-combatants. International assistance will constitute a critical element for the successful resolution of that issue and thereby reduce the risk of future internal instability.

Following a successful voter registration, which was reported in the previous report, preparations for the first Suco local elections progressed further during the reporting period. The National Electoral Commission is deliberating procedures to allow for the commencement of polling. Political parties have started organizing themselves to field candidates in the village elections, although many candidates are expected to run as independents. In promoting the elections, the President and the Prime Minister are carrying out civic education programmes energetically through their visits to districts. As I accompanied the President recently to one of his district meetings, I observed hundreds of villagers expressing their conviction that it is indeed their right to vote for candidates freely and devoid of any fear of intimidation.

During the past three months, however, there have been some setbacks, such as the National Parliament's failing to select the Provedor for Human Rights and Justice, despite two rounds of voting. The Parliament has also not completed its deliberations on the reports submitted by the Commissions for Former Combatants Affairs and for Veterans Affairs. UNMISET is hopeful that Parliament will also act efficiently when it receives a number of bills for adoption, including the bill on assembly and demonstrations.

It has also become increasingly critical for the Government to secure transparency and accountability in its own financial operations, particularly in relation to the emerging petroleum sector. In that respect, it is essential to establish by legislation the key institution of fiscal accountability — the high administrative, tax and audit court — as envisioned in article 129 of the Constitution.

On the diplomatic front, Timor-Leste continued to strengthen cordial relations with the countries of the region. Resident ambassadors, not only those of Malaysia and Thailand, but also those of Indonesia and the Philippines, have now presented their credentials. Timor-Leste has now also been admitted to the Regional Forum of the Association of South-East Asian Nations (ASEAN), and will be hosting a trilateral meeting with Australia and Indonesia in December of this year. The friendly relations with Indonesia have been enhanced by the visit of Prime Minister Alkatiri to Jakarta in October for the swearing-in ceremony of the new Indonesian President, Mr. Susilo Bambang Yudhoyono. The participation of Foreign Minister Ramos-Horta at the Indonesian Independence Day celebrations in West Timor earlier in August is another sign of growing relations between the two countries.

Despite the overall amicable relationship, however, border demarcation talks have not resulted in a final agreement, as was expected earlier. It is hoped that the spirit of good relations will find concrete expression in the resolution of important pending bilateral issues, including the operationalization of the transit facility linking Oecussi with the rest of Timor-Leste.

The 58 most critical civilian advisers are not only actively training and mentoring their East Timorese counterparts, they are also formulating exit strategies with their counterparts so as to ensure a smooth transition at the end of UNMISET's mandate. That will involve bilateral or multilateral partners, such as the United Nations Development Programme (UNDP) and the World Bank, which will take over functions beyond May of next year. While it will require several more weeks before the exact needs and specific modalities of meeting the requirements are known, it is clear that some form of continued international assistance will be indispensable in the finance and justice sectors.

The prosecutors, defence lawyers and trial judges of the serious crimes process are making strenuous efforts to complete investigations by November, as well as trials by May 2005, as stipulated in Security Council resolution 1543 (2004). The serious crimes process will not be able to respond fully to the desire for justice for all of the victims of the violence in 1999 with the limited time and resources available. There are several ideas and proposals in that regard to address the issue. The Secretary-General will examine those ideas and proposals, with a view to identifying the most appropriate arrangement to resolve the issue. Meanwhile, I propose to deploy additional data experts and specialists who can assist in the processing and archiving of all the evidentiary and testimonial materials obtained during investigations and trials.

Let me now identify some pertinent developments with regard to the second mandate, that is, strengthening law enforcement capacity in Timor-Leste. UNMISET civilian police advisers continue to provide training and mentoring to the national police of Timor-Leste (PNTL), in close coordination with other bilateral and multilateral development partners. The second phase of training for the Police Reserve Unit was successfully completed in late August. As I reported previously, UNMISET elaborated a skills development plan and began to implement it on 20 September. It is now providing training to the Rapid Intervention Unit, in response to a written request received from the Prime Minister following the incident of 20 July.

As a result of the concerted support of partners, PNTL officers are gradually improving their skills and gaining experience in many areas of policing. However, a number of key challenges remain, such as the lack of professional expertise. Some PNTL officers continue to show little respect for human rights. In view of the many shortcomings that the PNTL is still facing, I am convinced of the need for the retention of the current 157 civilian police advisers for six more months, as recommended by the Secretary-General in his report.

The Secretary-General has emphasized the importance of close cooperation between bilateral and multilateral partners in providing assistance for the development of the PNTL. In that regard, I am pleased to inform the Council that several joint initiatives are now under way, including a series of train-the-trainers courses, the training of senior and middle management members of the PNTL and the provision of assistance in specialized areas such as counter-insurgency and forensics.

The capacity of the East Timorese defence force (F-FDTL) continues to grow, with assistance provided by UNMISET and bilateral partners through the skills and knowledge transfer programme and other programmes. But it is evident that the F-FDTL remains hampered by a lack of experienced personnel, appropriate training regimes, equipment and limited logistics capacity.

It is also clear that the East Timorese border security agencies have not yet gained sufficient experience and capacity to manage border affairs by themselves. In view of the lack of a border agreement and the insufficient capacity of the national security agencies, I consider it necessary to retain the 477 military personnel for the next six months. That includes the 42 military liaison officers who continue to play a pivotal role in monitoring security-related developments along the border and in facilitating contacts between the East Timorese and Indonesian border security agencies.

In accordance with Security Council resolution 1543 (2004), an integrated assessment mission headed by Director Lisa Buttenheim of the Department of Peacekeeping Operations, visited Timor-Leste in early October to assess the situation on the ground. Eight members of the mission sought the views of all stakeholders. They also travelled to the border districts. I reiterate the recommendation of the Secretary-General, made on the basis of the observations of the assessment mission, that the situation on the ground at the moment does not justify any modification of UNMISET's tasks or any reduction in its size.

At the same time, I fully recognize that UNMISET needs to focus increasingly on implementing its transition strategy in the next six months. UNMISET is redoubling its efforts to encourage increased Timorese involvement and ownership of the three programme operations. Following the Council's last discussion, in August, I constituted eight working groups to address the concerns and challenges highlighted by Member States. Those working groups bring together all parties, including the Government of Timor-Leste, United Nations agencies, the Bretton Woods institutions, bilateral partners and civil society organizations. They have already started identifying specific measures required for a smooth transition from peacekeeping operations to more traditional nation-building and sustainable development assistance.

The eight working groups have more than 150 participants, including ambassadors and other diplomatic representatives based in Dili and Timor-Leste leaders, including President Gusmão, who has agreed to chair the working group on security issues. The final reports from each of the eight working groups will be ready by 15 January, and their recommendations will be reflected in the next report of the Secretary-General to the Security Council, to be submitted for consideration in February. The recommendations of the working group will also be presented to the donor conference that the Prime

Minister has agreed to advance to late March or early April, instead of June as originally planned. This will enable both the Government of Timor-Leste and the development partners to discuss how the responsibilities carried out by UNMISET can be taken over by the people of Timor-Leste and helpful development partners when UNMISET's mandate is completed in May.

Before I conclude my statement, I wish to take this opportunity to express my appreciation for the valuable work carried out by my deputy, Mr. Atul Khare, and all the staff in the civilian police military components of UNMISET, for their dedicated efforts in discharging the mandate of UNMISET in this consolidation phase.

I also wish to reiterate my view that national ownership and the determination to rebuild a caring society with full recognition of human rights and the dignity of all people are indeed the principal determining factor of success in peace- and nation-building in any post-conflict country. The tolerance of the people of Timor-Leste and the balanced leadership exercised by the President, the Prime Minister, the President of the National Parliament and the Minister for Foreign Affairs demonstrate that post-conflict countries can indeed learn to govern and develop themselves if they are anchored to democratic principles and if the international community can provide appropriate assistance in a timely manner, respecting the sovereign rights of the people to choose their own destiny. It is clear from my encounters with the leaders of Timor-Leste that they still appreciate and respect the constructive role played by the United Nations, particularly by the late Sergio Vieira de Mello, in the peace- and nation-building efforts of their country.

For my part, I am grateful to the Secretary-General, the Security Council and the leaders of Timor-Leste for the opportunity extended to me to serve as a partner in this historic enterprise, and I am most pleased to see the Ambassador José Luis Guterres in this Chamber. I look forward to hearing any views and suggestions he and the other speakers may have to bring about the successful completion of the UNMISET mandate in six months.

The President: I thank Mr. Hasegawa for his briefing.

Mr. Valle (Brazil): I would like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for introducing the Secretary-General's latest report (S/2004/888) on the United Nations Mission of Support in East Timor (UNMISET) and on Timor-Leste. I also take this opportunity to congratulate him and his team on their contribution to the steady progress that we proudly acknowledge today, particularly regarding institution-building and human resources development in Timor-Leste.

The delegation of Brazil is pleased with the good news about recent developments, in particular the overall achievements made by the people and the Government of Timor-Leste. In the last six months, there was further significant evolution in the areas of justice and security, public administration, human rights, civic education and legal and political affairs, among others. At the same time, we wish to acknowledge the invaluable assistance of the international community, and in particular of the United Nations system, which have been trustworthy partners of the people of Timor-Leste.

As a sister country of Timor-Leste and a member of the Community of Portuguese-Speaking Countries (CPLP), Brazil is particularly thankful to neighbouring countries for the support they provide to Timor-Leste in its efforts to build a viable, peaceful and stable country. It is fair to say that Timor-Leste is already paying back the investment that individual countries and the international community as a whole have made towards its self-determination and independence. The authorities of Timor-Leste and the people are fully committed to a friendly and democratic environment as well as to close and constructive relations with their neighbours. The next step should be Timor-Leste's contribution to regional economic development, as soon as national revenues from oil exploitation start contributing to its own economic development.

In the coming six months, the consolidation phase of UNMISET will come to an end. Tomorrow, the Council will hopefully adopt a draft resolution extending UNMISET's mandate for a final six-month period. In this very short time, there still remains essential work to be done by UNMISET with the full and unequivocal cooperation of the Timorese themselves. As pointed out by the Secretary-General, some weak and fragile sectors remain, requiring further and more focused attention, mainly in the areas of public administration and law enforcement.

My delegation is confident of the progress that UNMISET and the Government of Timor-Leste will make. Brazil believes that, within six months, the minimum threshold of self-sufficiency is likely to be reached. Nonetheless, by the time of UNMISET's departure, the international community and the United Nations in particular will be faced with a challenge that, while perhaps not of large proportions, is certainly extremely relevant. The day after UNMISET's departure will show how creative the Council was in conceiving a new post-conflict peace-building model to assure the transition from a very successful peacekeeping presence to a thoroughly sustainable project of international partnership and cooperation.

My delegation takes this opportunity to strongly encourage the Secretary-General, his team and all the members of the United Nations development family to examine Timor-Leste in an innovative and sensitive manner and to envisage ways and means to meet our current expectations regarding the United Nations role in the post-UNMISET phase. Further strengthening of public administration, national institutions and economic and social development are essential for the consolidation of peace and stability. This is true not only for Timor-Leste, but also for the international community's own record of successful participation in peacekeeping and peace-building efforts in the world.

My delegation gladly acknowledges that the United Nations, upon the Secretary-General's request, is already giving due attention to renewing its presence in Timor-Leste on the basis of a different structure and philosophy. In three months' time, when the next Secretary-General's report on UNMISET will be available, my delegation hopes that the Council, the authorities of Timor-Leste and the Secretariat will be ready to engage in a deeper exchange of views on this issue. Meanwhile, all of us, including the authorities of Timor-Leste, may start consultations in order to assist the Secretary-General on the recommendations that he may wish to present on that occasion.

For our part, Brazil will continue to develop bilateral relations with Timor-Leste as well as through CPLP. Promoting and spreading the use of the Portuguese language is one of our priorities, in which we hope we can count on the support of other countries, particularly in the region. Multilingualism, as we know, is a reality in Timor-Leste, and we must support that as well.

In conclusion, I wish to join those who urged the international community to maintain its full and deep engagement in the country. Timor-Leste deserves to enjoy the rewards of its successful evolution. We believe the best way to do that is by recognizing its legitimate call for inclusion in the international community as a full partner in business, trade, politics and economic and social development.

Mr. Muñoz (Chile) (*spoke in Spanish*): I would like to express my thanks for the presentation of the Secretary-General's report on Timor-Leste (S/2004/888) by the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, and we thank him for his work and the work of his team.

We should like to highlight the progress achieved in key areas — particularly the achievements of the Timorese Government — during this consolidation phase. We are pleased that the Government has officially assumed the responsibility for the country's internal and external security, that it has adopted various basic laws and that it has made progress in the electoral field.

Notwithstanding that optimistic scenario, we share the assessment of the Secretary-General that Timor-Leste is not yet self-sufficient enough for the United Nations Mission of Support in East Timor (UNMISET) to complete its work. In that connection, we firmly believe that we cannot jeopardize everything that has been accomplished and that a final six-month extension is an appropriate proposal. In that regard, we support the draft resolution prepared by the delegation of Brazil, which has been virtually agreed upon.

The information provided by the technical assessment mission that visited Timor-Leste in October is valuable. One can see that the structure and the development of the public administration still have obvious needs that must be met. Timor-Leste needs officials who are well prepared and who are examples of honesty and probity. We share the concern about the lengthy delays in the administration of justice and the shortcomings in the area of human rights; thus we agree on the need to promote capacities in that sphere. Therefore, the contribution that UNMISET can continue to make to the establishment of the judicial system is essential during this next phase.

Another element central to the achievement of real stability in Timor-Leste is economic development that will enable the country to overcome poverty,

generate jobs and improve the people's social well-being. In that connection, we welcome the progress made in exploiting the country's mineral resources. Likewise, we highlight the ongoing assistance programmes being carried out, not only by the United Nations, but also by the Bretton Woods institutions and various donor countries.

We also welcome Timor-Leste's excellent relations with its neighbours in the area. In particular, we highlight the excellent cooperation between Timor-Leste and Indonesia. We hope that they will soon arrive at an agreement on delineation of the border and that they will continue to make progress in various areas and in their bilateral relations. In addition, it is essential that those responsible for the grave crimes committed in 1999 pay for their actions.

In the area of human rights, we welcome the assistance provided by UNMISET through the Serious Crimes Unit in seeking to solve the crimes committed in 1999, and we highlight its efforts to complete its investigations this month. We therefore support the strategy to settle by May 2005 all arrest warrants against persons who have been indicted, but whose cases have not yet been brought before the Court. As the Secretary-General's report points out, we must take into consideration the probability that that task will not be concluded by the date envisaged and therefore that additional measures may need to be undertaken in the future. For that reason, we will consider with interest any proposals that the Secretary-General might make in that important area.

With regard to the programme's other elements, we particularly value the work being carried out by the national police throughout the country. We also highlight the work being done by UNMISET's police component to train, instruct and supervise Timor-Leste's national police. Lastly, with respect to maintaining security, we are pleased that the situation in the country has been quite calm, although we cannot ignore certain sources of instability, which are related to contraband, illegal trade and illegal border crossings. That was addressed in resolution 1543 (2004).

Finally, we recognize the valuable work being done by other actors — particularly regional actors — and by donors in the international community, who continue to demonstrate a strong commitment to Timor-Leste. Chile — which has been cooperating with Timor-Leste from the outset and has even provided troops, helicopters and other equipment in the past — remains committed to Timor-Leste and wants this young country ultimately to be an international example of success and hope.

Mr. Thomson (United Kingdom): The representative of the Netherlands will shortly be making a statement on behalf of the European Union in this discussion. The United Kingdom fully subscribes to that statement.

Like the two previous speakers, I should like warmly to welcome to this meeting Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Mission of Support in East Timor (UNMISET), and to thank him for his briefing, and to thank him and the civilian police and military components of UNMISET under him for the work that they have been carrying out.

The Secretary-General's report (S/2004/888) makes clear that Timor-Leste continues to make progress towards self-sufficiency. But, as the Secretary-General also points out, major challenges remain. We acknowledge the important role of UNMISET in helping the Timorese people and Government to address those challenges in the remaining months ahead. In that respect, we note the Secretary-General's recommendation that UNMISET should maintain its current tasks, composition and size until May 2005. If there is to be no further drawdown of UNMISET before its final departure, then it is all the more important that the Mission should prepare and begin the implementation of an effective exit strategy without further delay.

I wanted to make only four brief points, rather than a comprehensive statement.

First, we welcome the continued strengthening of Timor-Leste's relations with Indonesia, but we note with disappointment that an agreement has still not been reached on delineation of the land border. We encourage both countries to work together to resolve that issue as swiftly as possible.

Secondly, we very much recognize the difficulties faced by the Government of Timor-Leste in addressing the veterans issue — on which Mr. Hasegawa has briefed us — and the violence between martial-arts groups. We urge the Government to continue its efforts

to address those issues in a manner that is consistent with humanitarian law.

Thirdly, we welcome the launching by the Timorese Government of a reporting process on its implementation of seven core human rights treaties to which Timor-Leste has acceded. We see that as an important signal of the Government's determination to ensure the full implementation of those treaties.

Fourthly and finally, like the Secretary-General, we welcome both the work of United Nations agencies and the role of bilateral and multilateral assistance in Timor-Leste. All of that plays an important role in facilitating the transition from a peacekeeping operation to a traditional, sustainable-development assistance-framework. For its part, the United Kingdom is working with Australia and with the Timorese Government and people to provide training and assistance to the Timorese police. Under that programme, the first in a series of "train-the-trainers" courses began on 11 October.

Mr. Baali (Algeria) (*spoke in French*): At the outset, I welcome the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, and thank him and his team for the remarkable work they have accomplished at the United Nations Mission of Support in East Timor (UNMISET). As well, I thank Mr. Hasegawa for his presentation of the progress report of the Secretary-General (S/2004/888).

In recent months, Timor-Leste has achieved considerable progress in all areas related to nation-building and the creation of the infrastructure and conditions required for the harmonious functioning of the State. Preparations are under way for the holding of local elections with the assistance of UNMISET and other bilateral and multilateral partners. The capacities of public administration, the judicial system and the security agencies have been strengthened. The Timorese Government has carried out its national administrative functions effectively and responsibly. As well, in recent months, there has been progress in the economic and social development of Timor-Leste. We welcome that outstanding progress and the work of the United Nations Mission of Support in East Timor in peace-building and in support of the development of the institutions of Timor-Leste.

Relations between Timor-Leste and neighbouring countries, in particular Indonesia, remain an essential factor in the current phase of the consolidation of the nation-building process. My delegation welcomes Timor-Leste's readiness to cooperate with its neighbours, in particular Indonesia. In that context, we hope that the two parties will soon reach agreement on the final delimitation of their land borders, in the light of the importance of such an agreement for their security and for the stability of the region as a whole.

Likewise, we hope that negotiations with Australia on the maritime border and on the sharing of oil and natural gas resources will move more firmly and more speedily towards an agreement, which is crucial for Timor-Leste's security and general socio-economic development.

It is clear that, in spite of the significant progress made, Timor-Leste has not yet achieved the desired level of autonomy. Its public administration remains fragile. In the area of law and order, the Timorese police force continues to show institutional weakness, in particular with respect to training. As well, the national security capacities of Timor-Leste remain at an early stage of development.

It is therefore important that for the final months of UNMISET's mandate, the terms of that mandate should not be modified. That way, the Mission will be able to continue to support Timor-Leste's ability to ensure its security and stability and to consolidate the progress made so far. For that reason, we support the Secretary-General's recommendation to extend UNMISET's mandate for six months, without modifying its tasks as set out in resolution 1543 (2004).

In order to truly attain social stability and sustainable economic development, the Government and the people of Timor-Leste need the international community's steadfast and sustained support. We are convinced that the Government and the people of Timor-Leste will achieve greater progress in nation-building and in the consolidation of State institutions.

Mr. Zhang Yishan (China) (*spoke in Chinese*): First, I thank the Secretary-General for his progress report on the United Nations Mission of Support in East Timor (S/2004/888). I also welcome the appointment of Mr. Sukehiro Hasegawa as the Special Representative of the Secretary-General for Timor-Leste, and I thank him for his briefing.

In the period under review, the situation in Timor-Leste has remained stable, the economy has recovered

somewhat and people's lives have improved. It should be noted that the country has made steady progress in institution-building; important new State institutions and security agencies have been established. The capacity of the public administration, the judicial system and the security system has been enhanced, and a number of important laws have been adopted. We note that progress with satisfaction, and we congratulate the Government and the people of Timor-Leste on that achievement.

We pay tribute to the United Nations Mission of Support in East Timor (UNMISET) under the leadership of Mr. Hasegawa. At the same time, we observe that the Secretary-General has noted in his report that although notable progress has been made in many areas, important challenges still lie ahead and that Timor-Leste continues to require the assistance of the international community. We therefore support the renewal of UNMISET's mandate for a further six months, maintaining its current size, composition and tasks, so that the achievements made can be consolidated.

We believe that we should all act with urgency and redouble our efforts until UNMISET's mandate is completed. UNMISET and Timor-Leste should enhance their cooperation and prepare a satisfactory exit strategy so that Timor-Leste can achieve self-sufficiency at an early date. The United Nations system and international financial institutions should maintain their attention and support for Timor-Leste in order to ensure the country's sustainable development.

Finally, we pay tribute to Timor-Leste for its efforts to improve its relations with neighbouring States. On the outstanding issues between Timor-Leste and its neighbours, we believe that the international community should respect the wishes of the Government and the people of Timor-Leste and should support Timor-Leste and its neighbours in finding satisfactory solutions in the interest of lasting regional stability and in the long-term interests of the people of Timor-Leste.

We believe that through the efforts of the Government and the people of Timor-Leste, with the support of the international community and the United Nations, Timor-Leste will be rejuvenated and make steady progress in its task of nation-building.

Mr. Adechi (Benin) (*spoke in French*): We thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for the excellent briefing he has just given the Council on the report of the Secretary-General (S/2004/888) on the situation in Timor-Leste, which in general is positive. We listened with interest to his personal report on the firm progress of this young nation on the path towards the consolidation of its institutions and economic and social recovery.

Benin welcomes the numerous advances achieved by the Government and the people of Timor-Leste. That progress demonstrates that they are making good use of the support of the international community. In particular, we welcome their praiseworthy efforts for the normalization of the situation in the country and for strengthening stability throughout the Timorese territory, the establishment of political institutions, the consolidation of the foundations of public administration, the continued strengthening of the national police and improved relations with the other countries of the region, in particular Indonesia and Australia. We also welcome the bold measures taken by Timor-Leste to deal with structural problems, inter alia, by adopting laws on the private sector. Such measures will help ensure a smooth transition from the phase of emergency assistance to that of laying the foundations for sustainable development.

We take note of the continuing efforts of the World Bank, United Nations Development Programme and other United Nations institutions aimed at strengthening institutions in the socio-economic fabric of the country.

Nevertheless, we cannot say that the targets set have been achieved in all areas. Activities under way certainly deserve to be pursued and consolidated, because the report of the Secretary-General shows that much remains to be done to ensure that these achievements are well rooted, in particular the strengthening of professionalism and discipline within the police force and the strengthening of the justice sector.

Similarly, we are perplexed by the fact that the expected progress in the maritime and land border demarcation of Timor-Leste is taking a long time. We, therefore, urge the countries concerned to move this process forward in the interest of peace, stability and integrated development throughout the region.

Overall, we share the view of the Secretary-General, who states in paragraph 65 of his report that

the situation on the ground does not warrant any modification of the tasks of the United Nations Mission of Support in East Timor (UNMISET). Therefore, we support the current size of the UNMISET staff in the consolidation phase. We also agree with the draft resolution submitted by Brazil. The adoption of this procedural draft resolution, which conforms with the letter and the spirit of Security Council resolution 1543(2004), will reaffirm the Council's will, already expressed, to renew the UNMISET mandate for another six months — that is, until 20 May 2005. The international community must remain committed to this young nation in its development. It is important as well for the activities of the international community to take into account the vision of the leaders of Timor-Leste as to the future of their country.

The exit strategy of UNMISET must depend on the support that United Nations funds and programmes can offer, which should continue to assist Timor-Leste until it becomes fully self-sufficient and can draw on its own economic strengths. We must not lose sight of the fact that Timor-Leste is one of the least developed countries; therefore, it requires substantial support in official development assistance in order to set up basic infrastructures to deal with structural weaknesses so that rapid economic development of the country can be ensured.

Mr. Poirier (France)*(spoke in French)*: France would like to express its satisfaction with the information given us by the Special Representative of the Secretary-General. In spite of the difficulties pointed out, developments in the situation in Timor-Leste have been positive ones. We would like to transmit our congratulations to the Timor-Leste authorities and to the United Nations Mission of Support in East Timor (UNMISET) for the progress achieved, both in the construction of an effective State and in the process of the integration of the overall South-East Asia region.

We are in favour of extending UNMISET's mandate for another six-month period, as proposed by the Secretary-General in his report, so that the Mission might be able to fulfil its mission in support of the Dili authorities.

France is and will remain especially attentive to the efforts to be carried out in the next six months by the Government of Timor-Leste and by the United Nations Mission on the ground, so as ensure that impunity does not prevail, as described by the Secretary-General in paragraph 69 of his report.

Finally, we support the draft resolution submitted by the delegation of Brazil. We submitted some amendments to it this morning, which, I take it, are currently in the process of being discussed among our experts.

Mr. Trautwein (Germany): My delegation is grateful for the comprehensive and instructive briefing given by Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General, and we welcome the detailed progress report of the Secretary-General on the United Nations Mission of Support in East Timor (UNMISET).

Let me begin by saying that Germany aligns itself with the statement to be made by the Netherlands on behalf of the European Union.

Germany commends the steady progress achieved by the people and the Government of Timor-Leste and by UNMISET in the past three months. The Special Representative deserves our special tribute for having constituted eight working groups following the previous discussion in the Council in August, thus maintaining the momentum and following-up on the concerns expressed by member States.

Germany agrees with the balanced assessments and conclusions of the Special Representative and with the report of the Secretary-General. While acknowledging the progress Timor-Leste has made in the past few months on its path towards self-sufficiency and stability, the finish line has not yet been crossed. The political solution of various issues on the domestic front demands urgent and continued efforts on the part of the Timorese authorities. Further development of key State institutions and security agencies, the veterans issue, the broadening of the dialogue with civil society, the appointment of the Provedor for Human Rights and Justice and the focus on reconciliation as an important element in nation-building are required.

Likewise, the efforts of the Timorese Government to solve outstanding external problems prior to the termination of the mandate require continued attention on both sides. Germany is confident that further progress towards concrete agreements on border delineation and other pending issues with neighbouring

countries can and will be achieved in the next few months.

As regards the role of the United Nations system, we share the view of the Secretary-General and Mr. Hasegawa that UNMISET will have to focus increasingly on preparing and implementing its exit strategy during the coming six months, aiming at increasing Timorese ownership, but also requiring sustained bilateral and multilateral assistance following the departure of UNMISET. We agree with the Secretary-General that the donors' conference to be held in March 2005 will hopefully be instrumental in this regard.

In the light of the remaining domestic and international challenges Timor-Leste is still facing, Germany supports the recommendation of the Secretary-General to retain the Mission with its current tasks, configuration and size during the final extension of the mandate until 20 May 2005.

Timor-Leste has repeatedly and rightly been described as a possible exemplary model for nation-building. Germany encourages all Timorese and international actors involved to remain committed and focused in order to complete this success story.

Taking into account the desire for justice of those affected by violence in 1999 is, in our view, part of the reconciliatory process and successful nation-building based on the rule of law. In this respect, we look forward to specific proposals in the near future.

Mr. Lucas (Angola): I would like to welcome and to thank the Special Representative of the Secretary-General in Timor-Leste, Mr. Sukehiro Hasegawa, for his comprehensive presentation of the report of the Secretary-General. We express our heartfelt appreciation for the progress achieved by the Timorese people, as portrayed in the report, and for the good prospects ahead in building a stable, modern and democratic society in Timor-Leste.

We would like to dwell briefly on some crucial aspects referred to in the report of the Secretary-General. First, we support the recommendation contained in the report, which corresponds with the wishes of leadership of Timor-Leste namely, that of retaining the United Nations Mission of Support in East Timor (UNMISET) with its current tasks configuration and size until 20 May 2005, allowing the Mission to complete key tasks and consolidate gains made thus far. Thus, we are in full agreement with the draft resolution on the extension of UNMISET's mandate, presented by the Brazilian delegation.

Secondly, despite the progress achieved by Timor-Leste during UNMISET's consolidation phase, the country has not yet reached the critical threshold of self-sufficiency. The public administration and justice systems are still weak and fragile, demanding continued international assistance and a coherent and effective exit strategy when the mission departs in May 2005. This will ensure that advances in those key areas are not put in jeopardy.

Thirdly, when dealing with the great challenges faced by law enforcement concerning security and stability in Timor-Leste, the report underlines the need for further training of the national police to bring it up to a desired level of professionalism, competence and skills, as well as the need for full implementation of the training programmes currently under way.

Fourthly, the main tasks of UNMISET in its final mandate which the Security Council will soon approve, will be centred on the preparation of its exit strategy. That strategy should be based on the increased ownership and involvement of the Timorese in systems of public administration, justice, law enforcement and national security and, concurrently, on the mobilization of bilateral and multilateral partners, whose assistance will be crucial in further efforts towards a sustainable development assistance framework for Timor-Leste.

Timor-Leste will face, from next year on, a new phase of its existence as an independent nation, with basic changes in the character of international assistance. My delegation urges bilateral and multilateral donors to continue providing timely and appropriate assistance for the consolidation of peace and the development of Timor-Leste.

We took note with satisfaction of the scheduling of the donors' conference for March 2005. It is our expectation that the conference will not fail the Timorese people and that it will be a fundamental instrument in the framework for sustainable development assistance for Timor-Leste.

We commend the role played by UNMISET and the funds, programmes and specialized agencies of the United Nations system in promoting the rehabilitation of infrastructures, in enhancing public services,

ensuring full security and in institutional capacity development.

To conclude, we view the relations between Timor-Leste and its neighbours — particularly Indonesia and Australia — as very important factors in its overall situation, particularly for its security, stability and development. We praise the commitments made by those two key countries to the future of Timor-Leste and the constructive dialogue they have undertaken on issues of mutual interest, in particular, concerning border demarcation and management. My delegation hopes that the process will proceed quickly and that substantial progress will be achieved before the end of UNMISET's mandate.

Mr. Khalid (Pakistan): We would like to extend a warm welcome to the Special Representative of the Secretary-General, Mr. Hasegawa, who today has made an appearance in the Security Council in his present capacity. We thank him for introducing the report of the Secretary-General (S/2004/888) and for the update he has given to the Council on the situation in Timor-Leste. We also wish him good luck in his efforts.

Timor-Leste has made remarkable progress since its independence. The credit for the success is largely owed to the people and the Government of Timor-Leste. We commend them for their achievements, in spite of extremely difficult circumstances. We appreciate, in particular, the bold efforts of the Timorese leadership to encourage national reconciliation. We hope that it will continue to strive to heal the deep wounds of the past, both internal and external.

Pakistan supports the efforts of the United Nations Mission of Support in East Timor (UNMISET) to consolidate peace and assist institutional development in Timor-Leste, especially in key programme areas of public administration and justice, development of law enforcement and maintenance of security and stability. Those tasks continue to remain critical for the transition from peacekeeping to peace-building. We also acknowledge UNMISET's key role as a confidence-building mechanism, both within Timor-Leste and between Timor-Leste and Indonesia. That is a model that the United Nations could replicate in other regions where its missions are deployed.

The report of the Secretary-General provides an update on the progress made in each of the programme areas. While some progress has been made in those areas, it is obvious that much more still needs to be done. For example, the Timorese public administration sector continues to require substantial international assistance in the short and medium term. The justice sector is also in need of considerable strengthening. The lack of a suitable framework continues to hamper the training and development of the national police, which continues to face capacity, management and resource constraints, as well as discipline issues.

With respect to the capacity of the Timorese defence forces, in spite of progress, that important area remains hampered by a lack of experienced personnel and appropriate training regimes, and by limited equipment and logistic capacity. All that underscores the need for UNMISET's close and continuing engagement with its Timorese counterparts, to overcome the shortcomings.

Pakistan supports the extension of UNMISET's mandate at its present strength and composition for the further period of six months, in order to consolidate the gains made thus far and to complete the key tasks assigned to UNMISET in Security Council resolution 1543 (2004).

In addition to the efforts of UNMISET, the most imposing long-term challenge confronting Timor-Leste remains its socio-economic recovery. While the country's economy has shown signs of recovery, serious deep-rooted structural problems, underdevelopment of the private sector and the lack of enabling legislation continue to hamper progress in key economic areas.

It will continue to be difficult for Timor-Leste to sustain its economic recovery without sustained international support. We hope that the international donor community will continue to provide its indispensable assistance to Timor-Leste in order to enable that country to stand on its own feet.

The continued support of Timor-Leste's neighbours is also vital in that regard. Pakistan believes that the development of close and friendly relations between Timor-Leste and Indonesia is of utmost importance and is in the best interest of both countries. We also hope that Timor-Leste's other neighbours could also resolve their bilateral issues with Timor-Leste in order to allow that country to attain its true economic potential.

Finally, Timor-Leste is widely considered a success story for United Nations peacekeeping efforts. However, the real success of peacekeeping is not measured in years, but in decades. Timor-Leste will continue to need our support in the remaining phases of UNMISET's presence, and beyond. All efforts must be made to ensure that the gains so painstakingly achieved are consolidated and not lost.

Mr. Baja (Philippines): I thank you, Mr. President, for convening this open meeting to discuss the report of the Secretary General (S/2004/888) on developments in Timor-Leste. I also wish to thank the Special Representative of the Secretary-General, Mr. Hasegawa, for his presentation of the report of the Secretary-General and its recommendations.

My delegation commends the continuing and sustained efforts of the Government of Timor-Leste to take on greater responsibility in the preservation and maintenance of peace and security there. The Government has been taking steps to resolve the veterans issue and to curb the recent upsurge of violent incidents between martial arts groups. That has allowed the Timor-Leste Government, together with the United Nations Mission of Support in East Timor (UNMISET) and the funds, programmes and specialized agencies of the United Nations system and other development partners, to address the multifaceted challenges associated with its nation-building and institution-building processes during the transition period.

Concrete achievements have been realized. To us, the most important is the fact that Timor-Leste is continuing to nurture its relations with its neighbours.

A number of important bills have been presented to the National Parliament. The holding of local elections before July 2005 appears to be a realizable goal, the recruitment of Timorese counterparts to certain key posts has been improving, and the development of the national police and the Timorese defence force is progressing. Furthermore, the Timor-Leste economy is starting to show signs of recovery, with inflation moderated and real gross domestic product projected to post a 1 per cent increase in 2004.

Notwithstanding that modest progress, my delegation notes the Secretary-General's caution that much remains to be done in key areas, from good governance and institution- building to security-sector reform. He also noted what he described as a striking 17.4 per cent increase in the total population, with the population of Dili district growing by 39.3 per cent in three years, indicating a dramatic rate of urbanization that will pose many challenges for the Government, not only in providing basic social services but also in ensuring peace and order in the city.

As Germany has pointed out, continued international assistance to Timor-Leste is needed, particularly after UNMISET leaves. Bilateral or multilateral assistance should be identified early on to ensure a seamless transition as part of UNMISET's exit strategy. The Secretary-General's report cited such specific areas as the development of the Timorese public administration; institutional capacity- building in certain areas; and further training, infrastructure, equipment and logistical support for the law enforcement and security agencies of Timor-Leste.

Taking into account the Secretary-General's conclusion, given all recent developments and the findings of the recent technical assessment mission that Timor-Leste had not yet reached the critical threshold of self-sufficiency, my delegation supports his recommendation to retain UNMISET with its current tasks, configuration and size for a further six-month period, to allow for a completion and consolidation phase and to map out an exit strategy for UNMISET.

In that regard, my delegation welcomes the creation by the Secretary-General's Special Representative, Mr. Hasegawa, of eight working groups to assist in the timely identification of activities for the transition period from the peacekeeping and peace-building operation of UNMISET to institution-building and sustainable developmental assistance. However, the report does not specifically indicate what those areas are. My delegation believes that it would be useful if participants in this open meeting could be informed as to which areas are covered by these eight working groups.

We also welcome the early scheduling of the donors' conference in March, given its potential contribution to a smoother transition with respect to the forthcoming bilateral and multilateral partners of Timor-Leste.

Finally, my delegation notes the Secretary-General's call for the full cooperation of Member States to ensure that the perpetrators of the serious crimes committed in 1999 in East Timor be brought to justice. My delegation believes that this should be done

in the most practical, appropriate and effective manner, taking into consideration the views, sensitivities and cooperation of the parties concerned.

Mr. Motoc (Romania): I join other members of the Council in welcoming the latest report of the Secretary- General on the United Nations Mission of Support in East Timor (UNMISET) and in thanking Special Representative Hasegawa for his briefing.

As Romania aligns itself with the statement to be made shortly by the Permanent Representative of the Netherlands on behalf of the European Union, I would like to make only a few brief comments.

I take this opportunity to congratulate the authorities of Timor-Leste for the steady progress made towards developing the country and transforming it into a stable and democratic nation, and strongly to encourage them to continue their stabilization and institution-building efforts.

I would like also to express Romania's satisfaction with the continued strengthening of relations between Timor- Leste and Indonesia. We hope that the strong political commitment displayed will generate, without further delay, concrete progress on the pending issue of their border demarcation.

Romania wishes to express its appreciation for the remarkable role played by UNMISET in supporting the capacity-building efforts of Timor-Leste. We congratulate UNMISET on the way that its overall activities have been carried out under the inspiring leadership of Special Representative of the Secretary-General Hasegawa, and we commend him on the effective discharge of its mandate.

We have followed closely the findings of the United Nations assessment mission which visited Timor-Leste pursuant to resolution 1543 (2004). We concur with its conclusion that, despite important progress in developing key State institutions, enhancing the legislative framework and advancing security sector reform, major challenges remain and further international assistance is required.

Accordingly, Romania supports the extension of the mandate of UNMISET for a final period of six months while maintaining UNMISET's current tasks, configuration and size, as provided for in resolution 1543 (2004).

We are confident that, during the remaining six months of its presence in Timor-Leste, UNMISET will make a difference in the process of strengthening Timor-Leste's self-sufficiency, thus paving the way for the United Nations to leave behind a genuine success as its legacy there.

In the meantime, we wish to stress once again the need for sustained support from bilateral and multilateral partners to complement the current efforts of UNMISET, and, following the eventual departure of UNMISET, to continue to provide the necessary assistance to the Timorese.

It is in that context that the call has been made for UNMISET to focus increasingly on preparing its exit strategy in order to ensure greater ownership by the Timorese and a smooth transition from peace-building operation to institution-building and sustainable development assistance by the United Nations system and other bilateral and multilateral partners.

The issue of fighting impunity remains of particular importance to my country. Accordingly, we encourage the Secretary-General to further explore adequate ways of bringing to justice perpetrators of serious crimes committed in 1999. The cooperation of Member States remains essential in that regard.

Mr. Dolgov (Russian Federation) (*spoke in Russian*): We are grateful to the Special Representative of the Secretary-General, Mr. Hasegawa, for his introduction of the progress report of the United Nations Mission of Support in East Timor (UNMISET) and for providing us with the latest information on developments in the situation in that country. We agree with the major observations and conclusions of the Secretary-General.

Over the period under consideration, the Timorese authorities, with the active participation of the United Nations Mission, have made further progress in moving Timor-Leste towards genuine independence. It is important to ensure the continuation of the process of strengthening that country's genuine sovereignty.

However, Timor-Leste continues to face urgent problems, including a lack of infrastructure; a lack of resources, especially of qualified staff; and limited potential as concerns the system of State governance and in the law-enforcement structures of the country.

The East Timorese, with the support of the United Nations and of the international community as a whole, must make substantial efforts so that their country can become fully self-sufficient before the conclusion next May of the mandate of the United Nations Mission.

We welcome the fact that the internal political situation in Timor-Leste has remained, on the whole, a stable one. In that connection, we welcome the measures taken by the Timorese authorities to resolve pressing social issues, including problems related to veterans of the former independence struggle.

We note the successful preparations for local elections and call upon all the political authorities of the country to take a constructive part in them. We also welcome the ongoing development of relations between Timor-Leste and Indonesia. We call upon both States to further strengthen their deepening bilateral cooperation with a view to the earliest possible resolution of the remaining unsolved issues, including the important problem of border demarcation.

It is especially important to ensure the observance of human rights, including by conducting investigations if they are violated. We support the Secretary-General's recommendation — on which an understanding has already been achieved in the Security Council — on a final extension of the UNMISET mandate until 20 May 2005, retaining the current mandate, configuration and size of the Mission. It is important for the United Nations Mission, in the final period of its presence in Timor-Leste, to give maximum attention to preparing an exit strategy so as not to create any gaps in the functioning of Timor-Leste State structures after the Mission has left. For its part, the Russian delegation will continue to give the activities of the Mission all necessary support. We are grateful to the delegation of Brazil for preparing a draft Security Council resolution, which we fully support.

Mr. Yáñez-Barnuevo (Spain) (*spoke in Spanish*): We are grateful to the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for his introduction of the Secretary-General's comprehensive report (S/2004/888), and we thank him for his work as the head of the United Nations Mission of Support in East Timor (UNMISET). We would also welcome the presence here among us of Ambassador José Luis Guterres, Permanent Representative of Timor-Leste.

We fully support the statement to be made by the Netherlands on behalf of the European Union, and I will therefore limit myself to making a few comments.

We welcome the fact that in recent months Timor-Leste has continued to make steady progress in institution-building and in developing the rule of law. With the support of UNMISET and bilateral and multilateral support, the functioning of the judicial system, the public administration and law enforcement agencies have improved and have been further strengthened. We must thank for all of that the Timor-Leste authorities and UNMISET.

That notwithstanding, from the Secretary-General's report, we can see that there are many tasks still pending in important areas. I would highlight in particular the upcoming holding of local elections, the anticipated appointment of a Provedor for Human Rights and Justice, the adoption of important bills on the development of the rule of law, the training of civil servants in the judicial and financial areas and building the capacity of the national police and the armed forces.

In view of that, Spain wholeheartedly supports the recommendations made by the Secretary-General in his report. We consider that the UNMISET mandate should be extended for a final six-month period, retaining its present tasks, configuration and size. We thank the delegation of Brazil for the draft resolution on this matter, which has our full support because it will give Security Council support for an UNMISET exit strategy.

We support the initiative taken by the Special Representative of the Secretary-General to set up a number of joint working groups to prepare for the transition of the present peacekeeping and peace-building mission to a mechanism for assistance to strengthen institutions and ensure sustainable development. A support and coordination role will continue to be played by the United Nations system, which, with the cooperation of other multilateral institutions, is now doing outstanding work. In addition, we hope that the international donors conference to be held in March 2005 will ensure that assistance will be provided to the Timorese people, which will continue to be needed in the new phase.

In the area of human rights, we welcome the Serious Crimes Unit's efforts to complete its activities on time. We hope that the final report of the

Commission for Reception, Truth and Reconciliation will soon be made public. We also agree with the Secretary-General's conviction that all the perpetrators of serious crimes carried out in 1999 in East-Timor must be tried; we await proposals from the Secretary-General to avoid impunity for those perpetrators.

Finally, we must highlight the good relations between Timor-Leste and neighbouring States. Undoubtedly, these are a key factor for the stability and development of the Timorese nation. In particular, we hope that this propitious climate will soon lead to specific agreements on maritime and land border demarcation, and that it will ensure good-neighbourly relations and regional cooperation.

Mr. Danforth (United States of America): I shall now make a statement in my capacity as the representative of the United States.

We welcome the Secretary-General's latest report (S/2004/888) on the United Nations Mission of Support in East Timor (UNMISET) and Special Representative Hasegawa's presentation to the Council. We support the Secretary-General's recommendation to extend UNMISET for a final six months, until 20 May 2005.

During the last six months of the mandate, UNMISET personnel should continue transferring skills and should prepare to transfer responsibility for civil administration, justice, and security to their East Timor counterparts, bilateral donors and other United Nations agencies. As we approach the end of a very successful peacekeeping mission, we must consider outstanding issues that remain unresolved. Most important, the international community should consider what measures should be taken to ensure accountability for the atrocities committed in East Timor in 1999.

As we have stated numerous times, there must be accountability for the human rights violations committed in East Timor. The international community has a responsibility to address this issue. The recent ruling by an appeals court in Indonesia overturning another ad hoc tribunal conviction, bringing the total of those convicted down to a single individual, directly impacts the larger issue of achieving this accountability. The ad hoc tribunal process was seriously flawed. It failed to provide a full and credible accounting for the crimes committed in East Timor in 1999. There must be some level of accountability for those atrocities to create a climate conducive to the development of democratic institutions in both Indonesia and East Timor.

Given the limited jurisdiction of the Serious Crimes Unit and its inability to address crimes already perpetrated by the Indonesian military, and given the failure of the Indonesian ad hoc tribunal process, additional remedial measures may be required. We believe that the Secretary-General should send an expert assessment mission to East Timor and Indonesia to examine the current processes and make recommendations.

I now resume my functions as President of the Security Council.

In order to optimize the use of our time, I will not individually invite speakers to take seats at the table. When a speaker is taking the floor, the Conference Officer will seat the next speaker as well.

I call first on the representative of Timor-Leste.

Mr. Guterres (Timor-Leste): Allow me to take this opportunity to congratulate you, Sir, and your country on the assumption of the presidency of the Council for this month and to thank you and the members of the Council for the opportunity to address the Council.

At the outset, let me thank Secretary-General Kofi Annan for his comprehensive report (S/2004/888), which reviews the activities of the United Nations Mission of Support in East Timor (UNMISET), the progress made in key areas of governance, the shortcomings and the challenges ahead to achieve further progress and the consolidation of our fledgling democracy and country. My Government concurs with most of the analysis of the situation on the ground and fully supports the recommendations contained in the report.

My delegation would like to commend Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General, for his invaluable and inspiring leadership and for his very comprehensive briefing this morning.

Timor-Leste is peaceful and stable. However, despite the progress made in establishing democratic institutions and laying the foundations for a State based on respect for the rule of law and democratic principles, the future is still fraught with many challenges.

The development of capacities in sectors such as public administration, finance and justice continues to progress albeit at a slow pace. My delegation encourages members of the Council, the international community and development partners to continue to support Timor-Leste through the provision of civilian advisers in those key sectors in order to build capacities of Timorese nationals and to develop institutional capacity.

It is critical that the United Nations Development Programme-managed assistance programme for civilian advisers enable the recruitment of advisers as soon as possible. As pointed out by the Secretary-General in his report, only 50 out of 102 civilian adviser posts have been filled. Reducing the number of advisers at this point in time would not only be premature but would have a negative impact on key functions of national institutions.

Timor-Leste remains committed to the establishment of an effective, professional and accountable police force. The promulgation of the Police Organic Law and the Disciplinary Code is indicative of that commitment; however, the effective implementation of those laws requires technical and financial assistance from the international community.

We deeply regretted the excessive use of force by the police during the July demonstration by some veterans. My delegation agrees that much needs to be done to establish a society based on respect for the rule of law and human rights. The creation of an impartial, accountable and responsive police service is an important element as is the development of an independent judiciary. However, I am sure that the Council will appreciate the constraints we are operating under and the resources, both human and capital, we have at our disposal. The provision of police technical advisers and judge mentors through a programme of assistance to core administrative structures and to the justice system would contribute to the achievement of our common goals.

My Government commends the efforts made by UNMISET in responding to the training needs of the national police of Timor-Leste (PNTL) through the development of the skills development plan, in cooperation with local counterparts. Through such initiatives we have seen continued improvement in the skills and capacities of our police force in numerous areas of policing. However, in order to build on the gains made and to achieve the objectives as outlined in the skills development plan, it is necessary that the number of police advisers remain at the current authorized level of up to 157.

Timor-Leste has acceded to the core international human rights treaties, and in an effort to meet its reporting obligations, the Government with the support of the Office of the United Nations High Commissioner for Human Rights, UNICEF and other United Nations agencies, held a workshop in September to build capacities in the areas of data collection and report writing. As a consequence, the Government established focal points in key ministries, secretariats of state and civil society groups to facilitate data collection for drafting Timor-Leste's initial report to the treaty bodies. It is envisaged that another workshop will be held in December for civil society groups.

The Serious Crimes Unit has worked hard to achieve the requirements as set out in paragraph 8 of Security Council resolution 1543 (2004); however, despite those efforts, it may not be possible for the serious crimes process to complete its work within the limited time frame and available resources.

The question of justice in post-conflict societies is complex and difficult to address. As pointed out by the Secretary-General in his recent report on the rule of law,

> "... the consolidation of peace in the immediate post-conflict period, as well as the maintenance of peace in the long-term, cannot be achieved unless the population is confident that the redress for grievances can be obtained through legitimate structures for the peaceful settlement of disputes and the fair administration of justice". (*S/2004/616, para. 2*).

My Government appreciates the efforts of the Secretary-General in exploring possible ways of addressing this issue and endeavours to cooperate with the United Nations, as was reiterated by the Timor-Leste Prime Minister, His Excellency Mari Alkatiri, in his meeting with Secretary-General Kofi Annan on 4 October 2004.

Justice and reconciliation remain the cornerstone of stable democracies; the work undertaken by the Commission for Reception, Truth and Reconciliation in truth finding and reconciliation has contributed to the

healing of wounds from the past and has enabled communities move forward.

Furthermore, resolving the veterans issue is of great importance for the Government and will contribute to the stability of the country. Efforts are being made by the President, the Parliament and the Government through ongoing dialogue with the representatives of the veterans to find an appropriate and sustainable solution. We welcome the continuing support for the Recovery, Employment and Stability Programme for Ex-Combatants and Communities in Timor-Leste (RESPECT) programme which is helping to address the concerns and plight of the veterans.

Our economy is showing signs of recovery, and the Government is committed to creating an environment that is attractive to investment and job creation and to achieving the Millennium Development Goals and the national development plan. The draft investment law is currently before the Parliament for its consideration. Moreover, the Petroleum Fund Steering Committee will be holding public consultations tomorrow on the establishment of a petroleum fund for Timor-Leste. This will provide a good opportunity for civil society to express its views and opinions.

Timor-Leste, with the assistance of the United Nations Population Fund, carried out its first national census which represents the first total population and housing count in Timor-Leste since the restoration of independence in May 2002. The total population of Timor-Leste stands at almost one million, an increase of 17.4 per cent over previous figures. The Government hopes that the data collected will be used effectively by all stakeholders.

Preparations for local elections are well under way, with elections expected in 2005. Civic education concerning the elections is being carried out by the President and the Government throughout the districts, the aim of which to encourage participation and promote the positive engagement of civil society. The conduct of local elections will further consolidate the democratic process and institutions at the village level.

Relations between Timor-Leste and Indonesia continue to strengthen and are characterized by commitment at the highest levels. Both Timor-Leste and Indonesia continue to work towards finalizing the agreement on our common land border as well as other residual issues. Finalization of the land border will facilitate cross-border links between residents in border areas and build mutual trust and confidence. At a recent meeting of the Technical Subcommittee on Border Demarcation, in Indonesia, we were able to reach agreement on a number of segments along the border, and at this point only 5 per cent of the border remains in dispute.

Negotiations with Australia on the maritime boundary were held in September and October this year. We believe that a just and fair resolution of the issue is essential to ensuring Timor-Leste's future economic viability and stability. In general, our relations with our neighbours and our region are excellent and we are looking forward to participating in the meetings of the Association of South-East Asian Nations Regional Forum.

In conclusion, Timor-Leste supports a six-month renewal of UNMISET's mandate with its current parts, configuration and size until 20 May 2005. Furthermore, we support the establishment by Special Representative Hasegawa of eight working groups tasked with identifying activities to ensure a smooth transition from peacekeeping and peace-building to sustainable development. That timely initiative will contribute to finding the most appropriate exit strategy.

Finally, allow me once again to express our deep appreciation to members of the Council, the United Nations Secretariat, UNMISET, the Bretton Woods Institutions, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Development Fund for Women and other United Nations agencies for their continued and unrelenting interest in support of the people of East Timor, without which the progress made to date would not have been possible. To those members of the Council whose terms will expire on 31 December, we express our deep appreciation for their invaluable work and their contribution towards peace during one of the most critical times in the history of the United Nations.

The President: I call on the representative of Indonesia.

Mr. Jenie (Indonesia): I would like to begin by congratulating you, Sir, on your assumption of the presidency of the Council for the month of November. We wish you every success.

My delegation is always grateful for the opportunity to participate whenever the Security

Council deliberates the agenda item on Timor-Leste, which is a neighbour, a close friend and a partner of Indonesia.

My delegation would also like to thank the Secretary-General for his report in connection with progress towards the achievement of key tasks by the United Nations Mission of Support in East Timor (UNMISET). In that context, we would also like to welcome the Special Representative of the Secretary-General for Timor-Leste, Mr. Hasegawa.

As the work of UNMISET begins to wind down, my delegation would like to recall its consistent support for the mandate by which it was set up and for its work ever since. Indonesia has always maintained as a fundamental principle that UNMISET provides the necessary assistance for Timor-Leste to meet the goals of political stability, security and self-reliance in the shortest possible time.

In that connection, we are pleased that the report observes that Timor-Leste is now generally peaceful and stable, with the Government making considerable efforts to address pressing internal issues confronting the country, including the veterans issue and violence between martial arts groups. We are further pleased by the efforts by the Government of Timor-Leste that have yielded positive results in various fields, including the quest for self-reliance.

In the consolidation phase of UNMISET, which began last May, we see that steps have been taken, including the establishment of eight working groups by the Mission to address the key areas of concern that were highlighted by Member States here in the Council on 24 August. Properly implemented, we are certain that the working groups can help in the desired identification of activities necessary for a smooth transition from peacekeeping to institution-building and sustainable development assistance. That will further create a steady and conducive opportunity to complete the mandate of UNMISET successfully within a secure time frame.

Similarly, we note that an integrated technical assessment mission from the United Nations visited Timor-Leste in early October, in accordance with resolution 1543 (2004), and returned with favourable reports of further progress in the development of key State institutions and security agencies, including the adoption of some important pieces of legislation.

It is significant to point out, however, that the technical assessment team also reported that Timor-Leste has yet to reach the threshold of self-sufficiency. It noted that areas of public administration — particularly the finance, banking and justice sectors — remain weak and fragile. We hope that the United Nations and the international community will continue to stand by the Government of Timor-Leste and, through appropriate development assistance mechanisms, support its dedicated efforts.

As the members of the Security Council well appreciate, Indonesia places great value on its relationship with Timor-Leste. We note that the report of the Secretary-General observes that relations between both nations were further strengthened by the visit of Prime Minister Alkatiri to Jakarta on the occasion of the swearing-in ceremony of the new Indonesian President, Mr. Susilo Bambang Yudhoyono, on 20 October.

With regard to the issue of land border demarcation, both nations have continued to hold consultations. It should be recalled that, at the Bali meeting of our Foreign Ministers last June, they did reach a provisional agreement to be submitted to their heads of Government, whereby 90 per cent of the land border demarcation was agreed upon. I should like to add that there has also been steady progress at the working level to settle the remaining 10 per cent, which consists of nine unresolved segments. At the last meeting of the Technical Sub-Committee on Border Demarcation in Yogyakarta on 29 and 30 October — concerning which my colleague Jose Luis Guterres has also informed the Security Council — the two sides further concluded six of those segments, according to the record of discussion signed by both delegations, leading to a total conclusion of about 96 per cent of the land border demarcation, which represents a difference of 1 per cent with my colleague. They are scheduled to meet again on 21 and 22 December to try to resolve the outstanding three unresolved segments. That meeting will also determine further work on the densification of coordinates and, later on, schedule demarcation work.

Therefore, when perusing the Secretary-General's report, one should realize that both Indonesia and Timor-Leste understand that there is indeed more field work to be done in order to arrive at the final agreement. In that context, Indonesia did not expect that the final agreement could have been concluded at

the technical meeting in October and we believe that our partner, Timor-Leste, did not expect that either.

In that regard, Indonesia would like to reiterate its position once again that, in order to facilitate border management activities as soon as possible, Indonesia stands ready to sign a provisional agreement at any time, while continuing to seek agreement on the remaining issues in the not-too-distant future.

Let me conclude on two other matters that are of concern to Indonesia. First is the reference in the report to an Indonesian naval ship that entered Timor-Leste territorial waters on 19 September in pursuit of a private tour boat. I would like to clarify that matter for the record. On that day, an Indonesian naval ship detected an unattended boat floating near the Indonesian maritime boundary with Timor-Leste. It sailed towards the boat in order to ascertain the nature of its presence. However, after repeated requests for contact, the boat, while continuing not to give any response, sped away at high speed. During the event, the ship experienced a mechanical problem and was brought by the currents into the territorial waters of Timor-Leste unintentionally. After a while, the mechanical problem was fixed and the ship turned back. While fixing the problem, the ship tried to contact local authorities in order to avoid misunderstanding, but was unsuccessful.

What is important is that the Government of Indonesia has been in contact with the Government of Timor-Leste and satisfactorily clarified the matter. It is important to point out that no hostile intention whatsoever on the part of the naval ship was evident. In order to avoid similar misunderstandings in the future, however, tourist boats in the border areas, especially those unattended ones by divers, will need to give clear signs concerning their activities.

The second point of concern pertains to the statement that, on 2 November, Indonesian military personnel crossed the Tactical Coordination Line (TCL) in the Cruz area of Oecussi. I would like to inform the Council that, to date, the Government of Indonesia has never received any communication or complaint on that issue, either from the Government of Timor-Leste or from UNMISET. In order to dispel any wrong impressions, I will explain what actually happened on that day.

As we all know, pending the land border agreement, security personnel of both parties use a Tactical Coordination Line that was agreed upon by field officers. There are three zones under the TCL, namely, zone 1, which is patrolled by Indonesia, and zone 3, which is patrolled by Timor-Leste. Both sides also agreed that, in zone 2, no one is allowed to conduct patrols or any other activities. On 2 November 2004, while patrolling in zone 1, Indonesian security officers spotted three people from Timor-Leste who were clearing and burning bushes in zone 2. When the Indonesian side, still in zone 1, walked towards them, they went away. The Indonesian security officers then continued their patrol in zone 1. However, some time afterward, the people who had been burning bushes earlier returned with a bigger group, of about 30 people, and began to throw stones at the Indonesian security officers who were patrolling in zone 1. In order to avoid unnecessary problems, the Indonesian security officers left their patrolling area, which actually was in zone 1.

Given those facts, the portrayal of the incident by the Secretary-General would have been different had clarification from all the parties been sought. As a result, the account given in the report is capable of creating unnecessary negative perceptions towards Indonesia, which we regret. We believe that the United Nations should work to facilitate forward-looking relations between the two countries.

The President: I now call on the representative of Singapore.

Mr. Menon (Singapore): Let me first thank the Secretary-General for his comprehensive progress report (S/2004/888) on the United Nations Mission of Support in East Timor (UNMISET) for the past 3 months. I would also like to pay tribute to Special Representative Sukehiro Hasegawa for his leadership, commitment and outstanding work.

We are encouraged by the steady progress made in various aspects of Timor-Leste's development efforts. The Secretary-General's report has confirmed that the decision of the Security Council in May 2004 to extend the mandate of UNMISET by one year was correct and that the mandate was appropriately defined. Please allow me to highlight a few observations concerning the report.

First, it is clear from the report that Timor-Leste's judiciary and public administration systems are still in the early stages of development. Internal capacity in those areas has yet to be fully established. The work of

international judges and United Nations civilian advisers is therefore crucial to the development of the judicial system and other governmental institutions. The building of those important institutions will take time, and I commend the judges and the civilian advisers for their hard work and commitment. Given the significant increase in the number of returnees and the growing population of Dili, programmes focusing on the areas of education, job creation, the provision of utilities and health care will also have to be continuously developed and sustained.

Secondly, we note that the overall security situation in Timor-Leste has been calm and peaceful in recent months. That is due in no small measure to the presence of United Nations forces. But the work to build Timor-Leste's own capacity to ensure stability has only just begun. Until the capacity of the Timorese national police and defence force is fully realized, the work of the UNMISET security forces will be vital to the provision of a secure framework for development. The Secretary-General's report has noted the lack of professional experience of the police and the defence forces, the slow resolution of the grievances raised by ex-combatants and veterans and the growing voice of martial arts groups. Those are possible challenges to the internal security situation that merit our attention.

We support the Secretary-General's recommendation that UNMISET's current tasks, configuration and size be retained until 20 May 2005. That is critical to the consolidation of what has been achieved thus far. We agree that it is important for UNMISET to focus on the strengthening of local institutions before the final exit of United Nations forces. The remaining months are crucial, and UNMISET must ensure that the departure of the United Nations does not create a vacuum in which instability and uncertainty prevail. The United Nations will need to consider how the current programmes by the United Nations Development Programme, the United Nations Population Fund and the United Nations Children's Fund can be further expanded so as to ensure a smooth transition to Timorese ownership.

I would urge the Security Council to conduct a further evaluation of the state of Timor-Leste's self-sufficiency before the expiry of the UNMISET mandate, in May 2005. That will enable the Security Council to take an objective decision on the level of support and assistance to be rendered to Timor-Leste in the months ahead, as well as after the expiry of the United Nations mandate. While Timor-Leste continues to seek sources of bilateral and multilateral assistance, the United Nations must correspondingly harness the collective efforts of its development programmes for the benefit of that young nation.

The people of Timor-Leste have made considerable progress since the country became independent, in May 2002. However, there is still much that needs to be done. Further international assistance will be critical to consolidate and build upon the gains that have been made in an atmosphere of peace and security. Timor-Leste will continue to require international assistance, specifically in the area of strengthening its security forces, public administration and judicial institutions. Let us, as responsible partners and friends, continue to render the necessary support to that young nation so that it will see measurable and sustainable success in its efforts at nation-building. Singapore remains fully committed to assist and support Timor-Leste. Together with the United Nations, we have a stake in helping Timor-Leste succeed.

The President: I now call on the representative of Australia.

Mr. Douth (Australia): I would like to thank you, Mr. President, for having convened this open meeting of the Security Council on Timor-Leste, a country that, like my colleague from Indonesia, I can describe as a neighbour, a close partner and a friend. We are proud of what we have done to assist Timor-Leste in building a stable and sustainable democracy. Together with the United Nations and with other neighbours, many of which are represented here today, we continue to have a big stake, as my colleague from Singapore has just said, in ensuring that Timor-Leste is equipped to meet the challenges that it faces.

We welcome the Secretary-General's report (S/2004/888) on the United Nations Mission of Support in East Timor (UNMISET), and we are very pleased today to welcome the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa. As the report confirms, Timor-Leste has made steady progress in its institution-building efforts. It is encouraging that the support of the United Nations and the international community is having a tangible impact in areas of key concern. I was very taken by the remarks in that regard made by my friend and colleague Ambassador Guterres.

Of course, although notable advances have been made, Timor-Leste has not yet achieved self-sufficiency. More needs to be done to develop its public administration capacity and the professionalism and competency of its security institutions. Both areas are obviously critical to Timor-Leste's long-term stability. It is clear that Timor-Leste requires the ongoing assistance of the international community and of the United Nations.

We therefore strongly endorse the report's key recommendation that UNMISET be retained with its current tasks, configuration and size until 20 May 2005. Any precipitate withdrawal would undermine the many gains that have been made to date. Most important, UNMISET will continue to play a critical role in enabling Timor-Leste to further develop the capacity of key institutions. We very much hope that Security Council members will support the Secretary-General's recommendations and agree to UNMISET continuing for the next six months.

Over the next six months it will be important for UNMISET to accomplish as much as possible to implement a viable transition strategy, taking into account Timor-Leste's development needs. Looking further afield, it will also be critical for United Nations development agencies and the broader international community to remain engaged in a coordinated way to assist Timor-Leste with its many development challenges. We hope the next report of the Secretary-General on Timor-Leste will address those important issues.

For Australia's part, we remain firmly committed to assisting Timor-Leste to meet its development needs. We will continue to provide strong support to UNMISET, including through the contribution of personnel to the military liaison officer and police adviser contingents. Australia will also continue to be a major provider of bilateral development assistance to Timor-Leste, especially in the areas of policing and good governance.

Much remains to be done, but we remain fully confident that UNMISET personnel, in conjunction with the critical commitment and efforts of the people of Timor-Leste, will ensure that UNMISET successfully fulfils its important mandate.

The President: I now call on the representative of Japan.

Mr. Haraguchi (Japan): Mr. President, thank you for convening this public meeting. I also wish to thank Mr. Hasegawa for his briefing.

First of all, I would like to make it clear that the Government of Japan supports the recommendation of the Secretary-General to extend the mandate of the United Nations Mission of Support in East Timor (UNMISET) for an additional six months. At the same time, I wish to stress that this is going to be a very important period for the successful conclusion of the tasks assigned to the peacekeeping operation in Timor-Leste. Japan will continue to extend its utmost support so as to ensure that the peace is firmly established and UNMISET is able to complete its mandate successfully. We believe it has become our particular duty to do so because the final phase of the activities of UNMISET coincides with the period in which Japan takes up its duties as a non-permanent member of the Security Council.

There is no question that Timor-Leste continues to need assistance for its nation-building. In view of the forthcoming completion of the tasks of UNMISET, therefore, it is essential to make sure that those nation-building-related tasks which have also been carried out by UNMISET are taken over by bilateral assistance schemes or international development institutions. In this connection, we welcome the fact that UNMISET has established eight working groups with a view to facilitating a smooth transition from a peacekeeping and peace-building operation to more traditional institution-building and sustainable development assistance. We also hold in high regard the initiatives by the leadership of Timor-Leste to properly address the grievances of veterans, which are a clear expression, in our view, of a sense of ownership on the part of Timor-Leste.

Although there are still a number of tasks that have to be undertaken in the field of nation-building, the Government of Japan is confident that further progress towards the consolidation of peace will be made through the continuing efforts of the people of Timor-Leste, with assistance from the United Nations and the international community. We welcome the convening of the donors' conference in March of next year, at which the international community will discuss issues regarding nation-building following the completion of United Nations peacekeeping operations.

Needless to say, in concluding the peacekeeping activities of the United Nations, it is particularly important to ensure the peace and security of Timor-Leste. It is regrettable that the delineation of the land boundary between Timor-Leste and Indonesia has yet to be finalized. We do hope that both countries will continue to make their best efforts to resolve this matter at an early opportunity. My Government recognizes that the resolution of the issue of serious crimes will be critical for the future stability and development of Timor-Leste. We plan to continue to work with the people of Timor-Leste and other countries concerned regarding what sort of steps would be the most desirable in dealing with this issue and for the future success of Timor-Leste.

Japan has been actively assisting in the building of a sustainable Timor-Leste and is determined to continue its contribution in that regard. My Government has pledged assistance in the amount of $60 million over the first three years following independence, and has been steadily implementing that aid with a focus on peace-building and reconstruction in the three key areas: agriculture, infrastructure and human resources development. We have already invested $57 million in infrastructure projects such as roads, electricity and water supply in the Dili district. Japan is also dispatching so-called civil power, that is, groups composed of veterans of our Self-Defence Forces engineering group, as well as non-military engineering specialists, to train Timor-Leste Government staff to operate, maintain and manage the equipment and materiel which our engineering group donated after the completion of its mission. We hope such support will be helpful in improving the life of the people, which is the basis of the nation-building that is now underway in Timor-Leste.

We also believe the United Nations Development Programme's Recovery, Employment and Stability Programme for Ex-Combatants and Communities in Timor-Leste, which Japan has been supporting, has been very useful for the nation-building of Timor-Leste. We wish to call upon United Nations Member States to extend their valuable support to similar projects in Timor-Leste.

Finally, I wish to underscore once again how important this final period will be for Timor-Leste. Japan is convinced that, through the efforts of UNMISET, headed by the Special Representative of the Secretary-General, Mr. Hasegawa, and the people of Timor-Leste, acting under the guidance of their wise leaders, stability and the foundations for the development of Timor-Leste will be strengthened, and the United Nations peacekeeping operation will successfully complete its mission.

The President: I now call on the representative of New Zealand.

Mr. MacKay (New Zealand): I would like to thank the Secretary-General for the preparation of his progress report (S/2004/388) and Mr. Hasegawa for his briefing and presentation earlier in the meeting.

Once again, we commend the progress that has been made in Timor-Leste through the work of the United Nations Mission of Support in East Timor (UNMISET), the Government of Timor-Leste and the commitment of international donors who continue to support those efforts. In particular, we congratulate the Government of Timor-Leste for its continuing determination in addressing the significant challenges it faces as a small emerging nation, with limited resources and capacity.

Looking at the key achievements over the past few months, we are pleased to note the progress made in developing key State institutions and security agencies, including the adoption of important legislation. We are also pleased to note that good progress has been made in respect to delineating the land border between Timor-Leste and Indonesia, and we look forward to final agreement being reached on that issue in the near future. Similarly, we look forward to further positive negotiations between Timor-Leste and Australia regarding the maritime boundary.

Looking forward, we fully support the Secretary-General's recommendation that the current objectives, configuration and mandate of UNMISET should be continued as currently structured until May 2005. We see the coming months as a consolidation and transition phase. As identified in the Secretary-General's report, it will be necessary for UNMISET to ensure that the remaining time is well used, in order to ensure a smooth handover of remaining functions to the Government of Timor-Leste and, where appropriate, to ensure that the necessary assistance is available from bilateral and multilateral partners.

As part of this transition strategy, we hope that the Security Council, together with United Nations agencies and donors, will give particular thought to the

shape of support that will be required when UNMISET necessarily comes to an end. It is of paramount importance that we have in place a robust strategy to ensure a successful transition from conflict resolution and peacekeeping to consolidation and nation-building. Like others, we are pleased to note that, following the last meeting of the Security Council, the Special Representative of the Secretary-General constituted several working groups bringing together all parties, including the Government of Timor-Leste, UNMISET, United Nations agencies, the Bretton Woods institutions, non-governmental organizations and donor partners to examine the steps necessary to manage the transition. We look forward to continued cooperation and strategizing along those lines.

I would also like to highlight that a transition strategy will be very important in the justice sector. New Zealand remains a strong supporter of the work of the Serious Crimes Unit and of the Special Panels, which are essential components of an internationally supported process to see justice served for crimes committed in East Timor in 1999. Those responsible for crimes committed in 1999 must be brought to justice in a manner that is consistent with the standards of international law. The international community cannot tolerate an environment of impunity. New Zealand therefore welcomes all efforts to continue to address that issue, and we look forward to the Secretary-General's thoughts on the most effective arrangement to address the challenges involved.

In conclusion, Timor-Leste has made great strides. As I said at the beginning of my statement, we congratulate the country's Government for its determined efforts as a young nation. As we move into a new phase of consolidation and transition, continued support from the international community — and particularly from the United Nations — will be vital for Timor-Leste's future.

The President: I now call on the representative of Portugal.

Mr. De Santa Clara Gomes (Portugal): I would like to thank the Secretary-General for his latest report (S/2004/888) on the situation in Timor-Leste and to welcome the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, back to the Council.

Portugal subscribes to the statement to be made shortly by the representative of the Netherlands on behalf of the European Union. I will only add a few comments of our own.

The Secretary-General's report establishes clearly that Timor-Leste has made significant advances towards self-sufficiency. Nevertheless, major challenges remain, and continuing international assistance is essential. Portugal agrees with the Secretary-General that, under the current circumstances, we should refrain from making any change to the composition or size of the United Nations Mission of Support in East Timor (UNMISET), including those of its police and military components. In that context, I want to take this opportunity to add that a significant part of the equipment utilized by the former Portuguese military contingent of UNMISET — amounting to more than $20 million — was donated by Portugal to the Government of Timor-Leste.

Timor-Leste's relations with its neighbouring countries continue to develop, but it is with concern that we note that that has not yet resulted in any concrete agreement on one major aspect: border delineation. Stable relationships with neighbouring States and timely access to natural resources are essential in paving the way for the peaceful and economically sustainable development of Timor-Leste, but so is the settlement of both land and maritime borders.

The justice sector continues to show serious shortcomings; it remains an area that needs critical assistance from the international community. In that context, I would like to inform the Council that Portugal has contributed $1.2 million to help the Ministry of Justice, together with the United Nations Development Programme and UNMISET, to launch an institution called the Judicial Training Centre. Today, the Centre provides standardized post-graduate professional training to all judges, prosecutors and public defenders as a condition for their permanent appointment. We also note that, although drafts of a criminal code and a criminal procedures code are currently under consideration, it is important to move forward in that process. Portugal believes that both codes will complement the legislation on the national police.

Portugal is also seriously concerned at the Secretary-General's recognition that it may not be possible for the serious crimes process to respond fully

to the need and desire for justice for all those affected by the events of 1999. Like the Secretary-General, as stated in his report, we believe that the perpetrators of those serious crimes must be brought to justice. We will support an initiative of the Secretary-General aimed at exploring possible ways to bring about true accountability in situations of human rights violations.

My final remarks relate to the responsibility of the international community and of the United Nations in this important final stretch in Timor's recent history. It is important that UNMISET — a peacekeeping operation — be terminated, as planned, in May 2005. But it is even more important that Timor-Leste continue to benefit from the organized and coherent support of the United Nations system after that date. We are all aware that, despite the gigantic steps that the country has taken in institution-building and in becoming a viable State, much more remains to be done. International support, both bilateral and multilateral, must be forthcoming. We have achieved much, and we must safeguard that investment by ensuring that Timor-Leste continues to benefit from the assistance of the international community. Portugal believes that we must begin to envision a smooth transition for Timor, without peacekeeping, but with a solid and coordinated United Nations presence to support those who will remain to help Timor-Leste after May 2005.

The President: I now call on the representative of Malaysia.

Mr. Rastam (Malaysia): I offer my sincere congratulations to you, Sir, on your assumption of the presidency of the Security Council for this month and to the Permanent Representative of the United Kingdom on his stewardship of the Council last month.

My delegation is pleased to address the Security Council on the situation in Timor-Leste six months after the adoption of Security Council resolution 1543 (2004). We express our sincere appreciation to the Secretary-General for his progress report (S/2004/888) on the activities of the United Nations Mission of Support in East Timor (UNMISET), and to the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for his clear and comprehensive presentation of the report. We commend the Special Representative and the members of UNMISET's civilian, military and police components for their dedication and their invaluable contributions to the nation-building process in Timor-Leste.

Malaysia is pleased to recognize that UNMISET continues to play an important role in Timor-Leste, providing security and facilitating the country's advancement towards progress and development. The Mission has assisted in nurturing the development of political, economic, social, legal and judicial institutions. We note in particular that, since the inception of the UNMISET consolidation phase in May 2004, Timor-Leste has made further progress in developing key State institutions and security agencies, which includes the adoption of a number of important pieces of legislation. Voter registration has been completed in preparation for the local elections to be conducted before July 2005. Those advances could not have been achieved without the full commitment, the determination and the strong resolve of the country's leadership and the support of the Timorese people in general, coupled with sustained assistance and cooperation from the international community.

We recall that, in his previous report (S/2004/669), the Secretary-General noted that the progress achieved in Timor-Leste had permitted a downsizing in the international presence on the ground. However, in his report before the Council today, the Secretary-General emphasizes that the situation on the ground does not warrant any modification of UNMISET's tasks as mandated by resolution 1543 (2004). We note his assessment that any change of the composition or size of UNMISET, including those of the police and military components, could compromise the ability of the Mission to carry out its responsibilities. At the same time, we take note of the Secretary-General's recommendation to retain UNMISET with its current tasks, configuration and size until its mandate expires on 20 May 2005.

We agree that the coming final period of six months would allow UNMISET's key tasks to be completed and the gains made thus far to be consolidated. It is essential that the transition from the phase of peacekeeping operations, aimed at conflict resolution, to the next phase of development activities be conducted with the cooperation and the contributions of all bilateral and multilateral partners. In that regard, Malaysia will do its utmost, within its capacity, to further assist Timor-Leste in fulfilling its nation-building endeavour, including through the continuation of bilateral technical assistance.

My delegation notes that during the next six months UNMISET will also be focusing on its exit strategy as it completes its mandate in Timor-Leste. This is a crucial period for UNMISET in ensuring that the country continues to function without any significant impact from the Mission's withdrawal. It is thus important to make a thorough and comprehensive assessment of whether Timor-Leste has largely achieved self-reliance before UNMISET's responsibilities are handed over to the Timorese. In that regard, we believe that UNMISET needs to redouble its effort to encourage the involvement and the ownership of the Timorese in the Mission's three programme areas and to identify bilateral and multilateral partners that could help move the process.

Malaysia has taken note of the donors' conference scheduled to be held in March next year. We hope that the United Nations system and other partners that have complemented the role of UNMISET in assisting the institution-building process will continue to support and facilitate the smooth transition from a peacekeeping operation to a sustainable-development-assistance framework. My delegation joins the Secretary-General in appealing to all bilateral and multilateral partners of Timor-Leste to enhance their cooperation with UNMISET for a successful transition process.

It is encouraging to note the growing relations between Timor-Leste and Indonesia, as manifested in the recent visit of Prime Minster Alkatiri to Jakarta in October and the participation of Foreign Minister Ramos-Horta in Indonesia's independence celebration in Kupang in August. The strengthening of relations between the two neighbouring countries augurs well for them, including in their continued efforts to delimit the land borders between them. We are confident that both countries will continue to be able to resolve their pending bilateral issues in a spirit of friendship and cooperation.

With regard to the ongoing investigations by the Serious Crimes Unit to bring to justice the perpetrators of serious crimes committed in 1999 in East Timor, my delegation is of the view that the issue is best dealt with bilaterally between Timor-Leste and Indonesia. Undue external pressure from the international community, especially from the United Nations, may not be the right approach in dealing with the issue.

My delegation notes in the Secretary-General's report that maritime boundary negotiations with Australia have been conducted recently, in September and October, but that a mutually beneficial arrangement has yet to be concluded. Malaysia continues to express its hope for a mutually beneficial arrangement that permits the successful exploitation of petroleum and natural gas, which could provide badly needed financial resources for Timor-Leste.

My delegation has noted the conclusions and the observations of the integrated technical assessment mission during its recent visit to Timor-Leste to review the situation on the ground, as mandated by resolution 1543 (2004), with a view to determining the feasibility of modifying UNMISET's size, composition and tasks, including the configuration of its police and military components. My delegation is concerned that, despite the notable progress achieved during UNMISET's consolidation phase, the mission has concluded that Timor-Leste has yet to reach the critical threshold of self-sufficiency, in particular in the areas of professional skills and values, policing experience, necessary equipment and infrastructure, and management and coordination capabilities. In that regard, Malaysia continues to offer assistance in training and development for senior and middle management of the Timorese police force, as well as the assistance given in the training of trainers at the police college and to the newly formed Police Reserve Unit and Rapid Intervention Unit.

Ms. Laohaphan (Thailand): It is a pleasure, Sir, to see you presiding over the Council for this month. Like preceding speakers, I would like to thank you for convening this public meeting on Timor-Leste. My thanks also go to Mr. Sukehiro Hasegawa, the Special Representative of the Secretary-General, for presenting the progress report of the Secretary-General on the United Nations Mission of Support in East Timor (UNMISET) (S/2004/888).

Thailand welcomes the progress that has been steadily achieved over the past two-and-a-half years in Timor-Leste, and commends the sustained efforts of UNMISET, United Nations programmes and agencies, the Bretton Woods institutions, non-governmental organizations and international donors, and, not least, the hard work and determination of the Timor-Leste Government in trying to build a self-reliant nation that is safe, stable, economically viable and just.

Timor-Leste has embarked on a long and difficult journey to fulfil its aspiration for statehood and can rightly be proud of its many achievements to date. Yet, numerous challenges still await this budding nation, and the international community must remain actively engaged in helping this country advance alongside the community of nations.

Thailand concurs with the recommendation of the Secretary-General that UNMISET should maintain its presence in the country, with the same composition and size, until 20 May 2005 in order to consolidate its gains and, more importantly, to ensure the uninterrupted functioning of the Timor-Leste civil administration after UNMISET's withdrawal. It has always been Thailand's view that in any peacekeeping mission, there should be a clear and well-mapped-out exit and transition strategy to ensure a smooth and effective functioning of the affected country's administrative institutions. With respect to Timor-Leste, my delegation would like to underscore the following three points.

First, the conclusion of UNMISET's mandate in Timor-Leste does not imply Timor-Leste's readiness or its ability to effectively run its public administration. Timor-Leste will continue to rely on the support and the assistance of international experts in strengthening its institutional capacity in various areas, summarized in the three programmes, as set out in the report, namely, the public administration and justice system, law enforcement and security.

The second point I wish to emphasize is that the international community must be realistic about certain expectations that we harbour in relation to Timor-Leste. I refer specifically to paragraph 8 of resolution 1543 (2004), which calls upon the Serious Crime Unit to complete all trials relating to human rights abuses that occurred in East Timor in 1999 by 20 May 2005. While we fully support upholding the rule of law and fighting impunity, it is highly improbable that Timor-Leste could actually implement that provision of the resolution in time, given the accumulated backlog of cases, the limited availability of judges and the shortness of time. Therefore, the Council might wish to revisit that issue. I should also like to point out that the Commission for Reception, Truth and Reconciliation has been doing an outstanding job and should be commended for its efforts. The selection of the Provedor for Human Rights and Justice, which the international community eagerly anticipates, is an issue that should be finalized as soon as possible.

Another issue on which the international community might wish to reassess its expectations relates to the integration of veterans into civilian life. The initiative to draft legislation on the recognition of veterans seems to be heading in the right direction, and just two weeks ago, the Prime Minister of Timor-Leste requested the diplomatic corps in Dili to help Timor-Leste reintegrate those veterans and ex-combatants into civilian life and to create employment for them.

That brings me to my third and final point. The vital role of development in contributing to durable peace in post-conflict nation-building cannot be overstated. The United Nations and the international community have already made laudable efforts in laying a firm foundation for peace and stability in Timor-Leste, but more work and assistance is required to help Timor-Leste pursue its economic and social development. If we want to see Timor-Leste survive and thrive on its own, we must ensure that peace and security continue to prevail and become irreversible, as a safe and secure environment is a precondition for any country to embark on successful economic and social development.

The United Nations system, especially the World Bank, the United Nations Development Programme and UNICEF, will be needed more than ever in Timor-Leste, a fledging democracy that is still plagued by rampant poverty, an inadequate health system and a high birth rate, where unemployment and illiteracy remain prevalent and half the population is below the age of 15 and cannot contribute productively to the growth of the economy.

The scheduled date of closure on 20 May 2005 and the eventual withdrawal of UNMISET will coincide with the third anniversary of Timor-Leste. This three-year-old nation is but an infant compared to most countries that have centuries-long experience in civil administration and wealth accumulation. Nevertheless, Timor-Leste has promising potential, especially in oil and gas resources development, and, in the long run, the international community can benefit from having another strong and stable country contributing further to the world economy. The international donors' conference, scheduled to be held in March of next year, will be an occasion for us to

reaffirm our steadfast support, both bilaterally and multilaterally, for Timor-Leste.

For its part, Thailand has concluded a Technical Cooperation Programme with Timor-Leste for a three-year period, from 2003 to 2005, focusing on training programmes in 10 different areas.

Mr. Hamburger (Netherlands): I have the honour to speak on behalf of the European Union (EU). The candidate countries Bulgaria, Romania, Turkey and Croatia, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia and Montenegro, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this declaration.

Since the previous meeting in this Council on Timor-Leste last August, the European Union has not significantly changed its position on the way forward for Timor-Leste. We congratulate the Government of Timor-Leste for the tremendous progress it has made in rebuilding a functioning civil administration, training security and police forces, adopting important legislation and preparing for local elections.

We also would like to commend the invaluable contributions made by the United Nations Mission of Support in East Timor (UNMISET), which the EU holds in high regard for its exemplary function as a true multilateral effort at peace-building and reconstruction. In this respect, I am pleased to welcome and to commend the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, today for his leadership of UNMISET.

The EU pays tribute to the multilateral institutions and bodies that have jointly contributed to the recent economic recovery in Timor-Leste. Although the first signs of growth are still modest, the EU is encouraged by this upward trend that gives hope for further economic consolidation in the future. The EU wishes to see more efforts aimed at developing and expanding private sector activity in Timor-Leste.

The EU also would like to praise both Timor-Leste and Indonesia for their steadily improving relationship, which we hope will result in the early determination of their joint land border.

The report of the Secretary-General clearly outlines the various reasons for which Timor-Leste has not yet reached the critical threshold for self-sufficiency. I will not go into those details here. However, the European Union shares the Secretary-General's conclusion that UNMISET is to be maintained in accordance with Security Council resolution 1543 (2004). Moreover, the EU can support the Secretary-General's recommendation that the Mission focus on an exit strategy during the coming six months, aimed at increasing Timorese ownership. The EU trusts that the United Nations system will continue to support Timor-Leste after the departure of UNMISET next year.

I would like to recall the European Union's concern at the lack of progress in ending impunity. Ensuring that those responsible for serious crimes committed in East Timor in 1999 are held accountable and that justice is secured for the victims and people of East Timor is essential. The European Union looks forward to receiving the proposals of the Secretary-General, with a view to supporting them.

The President: I now call on Mr. Hasegawa for any further comments or responses he cares to make.

Mr. Hasegawa: I wish to thank you, Mr. President, and members of the Council for having given us your views and comments. We have taken note of all your valuable comments, and we will indeed follow up on many of the suggestions.

In view of the lack of time, I would just respond to the request made by the Philippine delegation for identifying the eight working groups. These eight working groups cover the following areas: institutional capacity-building of the public institutions; institution-building in the justice sector, in particular; the future of serious crime process; professional development under democratic policing training of the National Police of Timor-Leste (PNTL); the roles and working relationship of the national security agencies, including the Timor Lorosae Defense Forces (FDTL) and the National Police of Timor-Leste; support to the marginalized groups, such as veterans, ex-combatants, widows, orphans and youth; enhancement of transparency and accountability; and, lastly, transition from peacekeeping to sustainable development in Timor-Leste.

The international community has made a remarkable contribution to Timor-Leste in recent years in enforcing, maintaining and building the peace required for nation-building. It is now critically

important to provide the continued support to sustain its political development, as well as its economic growth and human development, in order to maintain peace and stability in this nascent country.

Seen in this context, the working groups have been established to identify specific measures required for smooth transition from peacekeeping operations to institution-building and sustainable development assistance.

The President: The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 1.10 p.m.